

PURPOSE

The purpose is to establish the policy for the Michigan Department of Health and Human Services (MDHHS) to provide guidance that limits the use of encryption to those algorithms that have received substantial public review and have been proven to work effectively. Additionally, to ensure that federal regulations are followed.

REVISION HISTORY

Reviewed: 01/01/2022.

Next Review: 01/01/2023.

DEFINITIONS

ePHI is the acronym for Electronic Protected Health Information. It is Protected Health Information that is transmitted or maintained in electronic form.

PHI is the acronym for Protected Health Information. It is information that can identify a person and contains health related data pertaining to that person.

Workforce Member means employees, volunteers and other persons whose conduct, in the performance of work for a covered entity, is under the direct control of such entity, whether or not they are paid by the covered entity. This includes full and part time employees, affiliates, associates, students, volunteers and staff from third party entities who provide service to the covered entity.

POLICY

It is the policy of the MDHHS to use proven, standard algorithms as the basis for encryption technologies. The use of proprietary encryption algorithms is not allowed for any purpose, unless reviewed by qualified experts outside of the vendor in question and approved by the Department of Technology, Management and Budget (DTMB) and the security officer.

REFERENCES

45 CFR 164.312(e)(1)

CONTACT

For additional information concerning this policy, contact the MDHHS Compliance and Data Governance Bureau at MDHHSPrivacySecurity@michigan.gov.